

**MINUTES  
BARBERING AND COSMETOLOGY EXAMINING BOARD  
MEETING  
MONDAY, October 7, 2002**

**PRESENT:** Bruce Bennett, , Laura Jenkins, Doug Klitzkie, Leon Lauer Marville Martin, Lee Martinez and Denise Svetly

**EXCUSED:** Barbara Flaherty and Karen Kraus

**STAFF PRESENT:** Mary Forseth, Bureau Director; Wayne Austin, Legal Counsel; Gina York, Program Assistant; and other Division of Enforcement Staff for portions of the meeting

**GUESTS:** Mary Kiley, NCAW; John Marting Kwitek, WACS; Bafeezah Ahmad, BAS-DWS; Jan Studenville, Just Nails; Robert Skiff, Cost Cutters; Mary Lou Richter, Cost Cutters, Juli Bral, Cost Cutters; Jody Kanters, Cost Cutters, Joan Karnitz, WCTC.

**CALL TO ORDER**

Lee Martinez, Vice Chair called the meeting to order at 9:35 a.m. A quorum of six members was present.

**ADOPTION OF AGENDA**

**MOTION:** Laura Jenkins moved, seconded by Leon Lauer, to adopt the agenda as written. Motion carried unanimously.

**APPROVAL OF MINUTES (8/5/2002)**

**MOTION:** Leon Lauer moved, seconded by Marville Martin, to approve the minutes of 8/5/2002, as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**BOARD ROSTER**

The Board Roster was reviewed by the Board and changes were made as indicated.

**2002 MEETING DATES**

The 2002 meeting dates for the Board were noted. Bruce Bennett will be gone for the December 2, 2002 meeting.

## **2003 MEETING DATES**

The 2003 meeting dates for the Board were reviewed and approved by the Board. The meeting of February 3, 2003 Bruce Bennett will be available by telephone if necessary.

## **SUMMARY OF REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES**

This report is for informational purposes only.

## **REGULATORY DIGEST**

The Board discussed articles/topics for the next Regulatory Digest. The next publication will be in December of 2002. Articles will be written by members as follows:

- 1) Booth Rental Article (Leon Lauer)
- 2) Reciprocity Article (Denise Svetly)
- 3) Nail Board Storage Article (Karen Kraus)
- 4) Board Progress Article (Lee Martinez)
- 5) Interpretation Article Re: Managers on Site (Wayne Austin)

## **UPDATE ON BUDGET AND SERVICE COMMITTEE**

Barbara Flaherty is the representative to this committee and this will be tabled to the next Board meeting.

## **INTRODUCTION OF NEW BOARD MEMBER**

Mary Forseth introduced Doug Klitzkie to the Board as a new member. He described his past work history and experiences and looks forward to serving on the Board.

## **ADMINISTRATIVE RULES**

### **STATUS REPORT ON ADMINISTRATIVE RULE**

### **CLEARINGHOUSE 02-058 REVIEW**

Pamela Haack was not able to submit the rule in time for the effective date to be November 1, 2002. Therefore the rule will now be submitted by the January 3, 2003 deadline. The effective date will be April 1, 2003.

Doug Klitzkie made some technical revisions to the copy of the proposed rules and sent them to Pamela Haack to be included in the rule. Due to the delay Mr. Klitzkie gave Mary Forseth a copy of his revision at today's meeting (10/7/02) to ensure they will be included in the rule when submitted on January 3, 2003.

# **REPORT FROM THE CONTINUING EDUCATION COMMITTEE**

## **MINUTES OF AUGUST 5, 2002 MEETING**

Informational only.

### **DISCUSSION OF CONTINUING EDUCATION SURVEY**

The Committee informed the Board of the survey results prepared by Bruce Bennett regarding continuing education. The number one area identified as an area of interest for continuing education was the topic of sanitation. It was suggested that consideration should be given to mandatory CE requirements for managers and in the sanitation area. Further discussion will continue at the December committee meeting and an update will be shared with the Board. The Board accepted the committees analysis of the survey and will include this topic on the next Board's meeting agenda.

### **PRACTICE ISSUES**

#### **CLARIFYING MANAGERS PRESENCE ONSITE AND ESTABLISHMENT LICENSE REQUIREMENTS**

Wayne Austin discussed with the Board at length. The Board would like to have Wayne write an article to be published in the Regulatory Digest to clarify the many questions regarding this topic. Mr. Austin will have an article for the Board's review at the next meeting.

#### **REVIEW OUTSTANDING SCOPE OF PRACTICE ADVISORY COMMITTEE RECOMMENDATIONS**

The Board reviewed the Advisory Committee's recommendations and felt that more clarification regarding terminology and specialties was required. This was tabled to the next Board meeting.

### **REGULATION OF MICRODERMARASION**

Avita Regan appeared before the Board to share information regarding microdermarasion. Ms. Regan shared the types of machinery used and conditions in which she practices this specialty. There was a lengthy discussion by the Board regarding this equipment, risk factors of procedures, and public safety. The Board is interested in what other states are doing for requirements and education and whether all individuals should be working under a physician. The Board felt this topic needs further discussion.

### **EXAMINATIONS**

#### **ESTHETICIANS EXAM CONCERNS**

The examination for Estheticians was written and administered by NIC. The pass rate appears to be approximately 68 percent and there are some concerns regarding this outcome. Darwin

Tichenor will write a letter to the textbook company and the school in question regarding the concerns of the Board. This topic will be tabled until the next meeting to review the response from Mr. Tichenor' letter.

### **STATUS OF CHANGES FOR PRACTITIONER AND INSTRUCTOR EXAMINATIONS**

Darwin Tichenor addressed the Board regarding the first set of practitioner examinations. The instructors really like this format and at this time there appear to be no problems or any major changes in pass/fail rates. A results letter will be issued to candidates who passed to inform them of when they can begin practice. The Board shared concern on the length of the turnaround timeframes for test results to be provided to candidates. Mr. Tichenor will check into this matter and report back to the Board. This topic will be discussed at the next Board meeting.

The instructors examination was discussed as well as the examination committee meeting report. A survey is going out now. The Department of Regulation and Licensing rule should be reviewed and whether it addresses the instructor examinations and will any rule changes need to be made. The examination committee will meet again in January 2003 to further discuss this issue. The Board would like continued updates on this topic.

### **SPANISH LANGUAGE PRACTITIONER EXAMINATION**

Darwin Tichenor informed the Board that on September 24, 2002 MATC decided to have Spanish Language Practitioner Examination. The current English version was converted to Spanish and the exam will be available in December 2002.

### **EXTERNSHIP PROGRAMS**

The Board discussed at length whether such programs are acceptable, the number of hours required, how hours are monitored, and who reports and tracks hours to ensure requirements are met. The Board recommended that hour requirements should be reasonable, individuals should be contracted with a specific salon, and hours should be verifiable. The Board would not accept any externship to be performed out-of-state. Wayne Austin advised the Board that private school externship programs are allowable by the Board and by current rule.

### **LEGISLATIVE UPDATE**

Nothing before the Board at this time.

### **BOARD MEMBER ACTIVITY**

#### **NIC CONFERENCE**

Barb Flaherty, Chair, is currently at this conference and will provide an update to the Board at the next Board meeting.

## **NEW BUSINESS**

### **DISCUSSION REGARDING BOARD COMMUNICATIONS WITH THE GENERAL PUBLIC**

For informational purposes.

### **PRESENTATION OF PROPOSED STIPULATIONS BY PROSECUTORS OR ANY THAT MAY BE SUBMITTED AFTER PRINTING OF AGENDA**

Proposed stipulations were discussed in closed session.

## **CLOSED SESSION**

**MOTION:** Leon Lauer moved, seconded by Marville Martin, to convene to closed session to deliberate on cases involving hearings (s. 19.85 (11)(a), Stats.); to consider licensure or discipline (s. 19.85(1)(b), Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.) The motion was approved by a role call vote: Lee Martinez-yes; Bruce Bennett-yes; Laura Jenkins-yes; Leon Lauer-yes; and Denise Svetly-yes. Motion carried unanimously.

Open Session adjourned at 12:02p.m.

The Board deliberated on monitoring reports, proposed stipulations, administrative warnings, case closings and case status reports.

## **RECONVENE TO OPEN SESSION**

**MOTION:** Bruce Bennett moved, seconded by Leon Lauer, to reconvene into open session at 12:17 p.m. Motion carried unanimously.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

**MOTION:** Bruce Bennett moved, seconded by Leon Lauer, to accept all decisions and motions made in closed session. Motion carried unanimously.

## **MONITORING REPORT**

There was nothing before the Board at this time.

## **STIPULATIONS**

### **TARA R. SHEEHY, DALE E. NELSON AND HEADGAMES SALON (MADISON, WI)**

**MOTION:** To adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matters concerning Tara R. Sheehy and Dale E. Nelson d/b/a Headgames Salon (Madison): Case 02BAC029. Motion carried unanimously.

### **KAREN L. ZAUFITZ AND STUDIO Z (MONONA, WI)**

**MOTION:** To adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matters concerning Karen L. Zaufitz d/b/a Studio Z (Monona): Case 02 BAC 025. Motion carried unanimously.

### **BONNIE J. SLAGG AND BONNIE'S BEAUTY SHOP (EDGERTON, WI)**

**MOTION:** To adopt the Findings of Fact, Conclusions of Law, Order and Stipulation in the matters concerning Bonnie J. Slagg d/b/a Bonnie's Beauty Shop (Edgerton): Case 02 BAC 058. Motion carried unanimously.

## **ADMINISTRATIVE WARNINGS**

### **J.M.**

**MOTION:** To issue an administrative warning in the matters concerning J.M. for Case 01 BAC 104. Motion carried unanimously.

## **CASE CLOSINGS AND CASE STATUS REPORT**

There were no cases for closure before the Board at this time.

## **NEXT MEETING AGENDA ITEMS**

- Instructor written exam/licensing requirements with Exam Committee follow-up.
- Esthetician Exam Concerns/ Response to Letter
- Statutes review
- Scope of Practice Revision
- Microdermabrasion Specialty
- Board Memberships
- Regulatory Digest Articles by members assigned.

## **ADJOURNMENT**

**MOTION:**

Leon Lauer moved, seconded by Denise Svetly, to adjourn the meeting at 12:23 p.m. Motion carried unanimously.

**Next Meeting : December 2, 2002**